



MEETING ACTIONS
SESSION OF THE PLANNING ADVISORY BOARD
CITY OF KISSIMMEE
CITY HALL, COMMISSION CHAMBERS
101 CHURCH STREET, KISSIMMEE, FLORIDA 34741-5054
WEDNESDAY, OCTOBER 16, 2024 AT 6:00 PM

1. MEETING CALLED TO ORDER

Members Present: Board Member Robert Bussiere, Board Member Robert Spalding, Board Member Alex Alemi, Board Member Aaron Sabino

Staff Present: Brenda Ryan, Planning Manager, John Rabon, Senior Planner, Ryan Altizer, Planner II, Kalanit Oded, Assistant City Attorney, Kayla Smith, Administrative Assistant II

Members Absent: Board Member Diana Marrero-Pinto, Board Member Rebeca Marin

Board Member Robert Bussiere called the meeting to order at 6:02pm

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

After a Moment of Silence, Robert Bussiere led the audience in the Pledge of Allegiance

3. MINUTES

Planning Manager Brenda Ryan stated that to maintain consistency with other City Advisory Boards and City Commission, advisory board minutes do not have to be written verbatim.

3.A Approval of the July 17, 2024 Planning Advisory Board (PAB) meeting minutes.

Board Member Robert Spalding made a motion to Approve. Board Member Alex Alemi seconded the motion.

AYE: Board Member Bussiere, Board Member Spalding, Board Member Alemi, Board Member Sabino

NAY: None

Motion to Approve 4 - 0.

3.B Approval of the August 7, 2024 Planning Advisory Board (PAB) meeting minutes.

Board Member Robert Spalding made a motion to Approve. Board Member Alex Alemi seconded the motion.

AYE: Board Member Bussiere, Board Member Spalding, Board Member Alemi, Board Member Sabino

NAY: None

Motion to Approve 4 - 0.

3.C Approval of the September 4, 2024 Planning Advisory Board (PAB) meeting minutes.

Board Member Robert Spalding made a motion to Approve. Board Member Alex Alemi

seconded the motion.

AYE: Board Member Bussiere, Board Member Spalding, Board Member Alemi, Board Member Sabino

NAY: None

Motion to Approve 4 - 0.

4. OLD BUSINESS

5. NEW BUSINESS

5.A Public Hearing - Conditional Use with Site Plan Waiver to establish an educational service establishment - 400 Church St. - CU-24-0006

Planner Ryan Altizer stated this is a request for approval of a Conditional Use with Site Plan waiver to establish a driving school at 400 Church St. on approximately 0.34 acres of land with a Mixed-Use (T5-M) Zoning designation. The subject property is located at 400 Church Street.

Planner Ryan stated the subject properties zoning history, future land use, and other licensed businesses that operate inside the building.

Planner Ryan proposed this conditional use intends to use the property as an educational service establishment, specifically an online driving school, and include spaces for those who do not have access to a computer. The specific use requires 2 parking spaces at this location.

Staff recommends approval for the following reasons:

1. Compliance with the intent of the Mixed-Use Center (T5-M) zoning district standards as outlined in Section 14-5-4(F) of the Land Development Code.
2. Compliance with Section 14-5-6, Table 5-1, as an educational service establishment is a potential allowable use with conditional use approval by the Planning Advisory Board.
3. Compliance with Section 14-3-29(C)(2) for a site plan waiver as construction is limited to the interior of an existing building; the existing parking, loading, lighting and other site characteristics are not impacted by the conditional use, and no special buffers are required in compliance with the Land Development Code.
4. Compliance with Section 14-3-29(G)(1)-(13) general review criteria for conditional use approval as the subject property, layout, compatibility, and public facility impacts of the project are in compliance with the Land Development Code.
5. Compliance with Comprehensive Plan Future Land Use Element Policy 1.2.9.2, Mixed-Use Downtown (MU-D), which is intended to restore the historic center of Kissimmee. The MU-D: Downtown Transit Station Area shall continue to reflect both the commercial core and existing governmental and support business character, while also providing residential uses. Development and redevelopment projects within this future land use designation may be built with an intensity of up to 7.0 FAR.

Staff recommends approval subject to the following conditions:

1. Approval of an educational service establishment for a driving school is for 400 Church St., Unit 109 only. This educational service establishment use cannot be transferred or expanded to another suite(s). A separate Conditional Use application and approval by the Planning Advisory Board will be required to transfer or expand any educational service establishment uses.
2. A Business License for the driving school must be issued within one (1) year of this Conditional Use approval. If a Business License is not issued within a year, this Conditional Use approval will be revoked.
3. Once the Business License is issued, the conditional use is valid on this parcel. If there is ever a lapse of one (1) year with no Business License, the conditional use approval is considered voided.
4. The driving school is limited to a maximum of two (2) students at any given time.
5. There shall be no modifications to Toho infrastructure.

Board Member Aaron Sabino stated his concern regarding bringing in this type of educational institution and how that may affect other surrounding businesses i.e. Bars, Tattoos, etc.

Planner Ryan assured him that the educational establishment is more of a vocational school and not an institute that need requires state certification.

Ruben Ghiragossian, 9029 Reflection Point Drive Windermere, FL 34786, he stated it is not an education institution that has to be attended daily, this driving school is an online service only for students who may not have access to internet service.

Board Member Robert Spalding made a motion to Approve w/Conditions. Board Member Alex Alemi seconded the motion.

AYE: Board Member Bussiere, Board Member Spalding, Board Member Alemi, Board Member Sabino

NAY: None

Motion to Approve w/Conditions 4 - 0.

6. PUBLIC HEARINGS

7. DISCUSSION

Staff and Board Members discussed the City Clerks advisory board minutes policy.

Staff and Board Members discussed the Planning Advisory Boards recommendations and how they are presented at the City Commission Meetings.

8. HEAR CHAIRMAN AND BOARD MEMBERS

9. ADJOURNMENT

There being no further business to come before the Planning Advisory Board, Chairman Robert Bussiere, adjourned the meeting at 6:48pm.

10/16/2024


Board Chairman

ATTEST:


Board Secretary

In accordance with Florida Statute 286.0105, any person wishing to appeal any decision made by the Planning Advisory Board with respect to any matter considered at such meeting or hearing will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceeding is made, which includes the testimony and evidence upon which the appeal is made.

In accordance with Florida Statute 286.26, persons needing assistance to participate in any of these proceedings should contact the office of the City Clerk at (407) 518-2309 prior to the meeting.